

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, October 10, 2016 at Town Hall, 254 Main St, Highland Falls, NY at 7:00pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	Tyrone King	----	Council Member
	June Gunza	----	Council Member
	Adrienne T. Voltaire	----	Council Member
	Justin Rider	----	Counsel
	June Patterson	----	Town Clerk

Supervisor Livsey opened the meeting at 7:00pm.

PUBLIC COMMENT

There was no public comment.

MINUTES

Council Member Edsall made a motion seconded by Council Member Gunza to accept the minutes from the September 26 Town Board meeting, as prepared by the Town Clerk.

MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

Council Member Edsall made a motion seconded by Council Member King to accept the minutes from the October 4 Town Board meeting, as prepared by the Town Clerk.

MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

COMMUNICATIONS

Supervisor Livsey received notification that on October 29 the Orange County Dept. of Emergency Services, along with local First Responders, will hold a Homeland Security Program at SUNY Orange beginning at 9:30am. The Supervisor stated that you must RSVP if you plan to go.

Supervisor Livsey received a letter from a resident asking the Town to use some of the \$50,000 grant money for mulch at the Brook's Park playground. The Supervisor said the money can't be used for that, but the Recreation Director and Highway Supt. said they would take care of it.

Supervisor Livsey said there was a Senior Citizen Planning Committee meeting on September 27 and Council Member King is a member of the Council.

TOWN BOARD

OCTOBER 10, 2016

Supervisor Livsey received a letter from Al Fusco with the new schedule for the Sewer Project. The Supervisor reviewed the schedule with the Board.

Council Member Gunza stated that she is not happy with the extended time line.

Mr. Rider said the construction phase could be close to a year, if not 14 months.

Supervisor Livsey said there will be a roundtable discussion with the State Department on October 18, from 10am to 1pm, at Airport Center Drive. The Supervisor said you must RSVP if you plan on attending.

FINANCIAL

Accounts Payable

Supervisor Livsey said the Town paid out \$93,661.91.

Budget Transfers

Council Member King made a motion seconded by Council Member Edsall to transfer \$500 from Other Recreation Revenue to Recreation Program Supplies.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Council Member Edsall made a motion seconded by Council Member Voltaire to transfer \$1,500 from Other Recreation Revenue to Recreation – Reimbursed by Participants.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Council Member Edsall made a motion seconded by Council Member Voltaire to transfer \$1,300 from General Liability Insurance to Historian Salary.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Council Member Gunza made a motion seconded by Council Member Voltaire to transfer \$800 from Building Department Salaries to Building Department Postage.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Planning Board Consolidation Numbers

Supervisor Livsey said he now has the figures for the Planning Board Consolidation. Supervisor Livsey reviewed the numbers. The Supervisor said that all residents will save some money, with the consolidation, but he doesn't believe that's what this is about. The Supervisor said the Village has previously adopted the intermunicipal agreement for this.

BOARD REPORTS

Council Member Edsall

Council Member Edsall stated that there will be a Consolidation meeting on this Thursday at the Village Hall at 7pm.

Council Member King

Council Member King said he met with Dial-A-Bus Manager, Colleen Solan, to discuss what can be done to maximize ridership.

Council Member King said the gentleman he introduced last time is interested in helping with the seniors.

Council Member Gunza

Council Member Gunza said the Police Department is waiting on some grants.

Council Member Gunza stated that she thinks the Police Department did an excellent job in rescuing the Veteran from the motel.

Council Member Gunza said she attended the sculpture dedication and it was a nice ceremony.

Council Member Voltaire

Council Member Voltaire said she also went to the sculpture dedication and it was nice.

SUPERVISOR'S REPORT

Supervisor Livsey stated that the new Board of Elections building and warehouse are very nice and modern.

Supervisor Livsey said he attended the RSVP Luncheon and it was very nice and well attended.

POLICE

Chief Quinn thanked Council Member Gunza for her statement pertaining to the Veteran that was rescued. The Chief said he was very upset by the article and has already spoken to the reporter. The Chief also plans on speaking to the other agencies involved in this. The Chief said the article was very unfair.

Supervisor Livsey told Chief Quinn to let the Board know if they could be of any help.

RECREATION

Mr. Falk asked the Board to put back \$3,100 of the \$4,000 that was taken out of his budget for a second Supervisory position at Summer Camp. Mr. Falk said this position is required by Orange County and also for the safety of the counselors.

GENERAL BUSINESS

Town/Village Planning Board Agreement

Mr. Rider explained the agreement. Mr. Rider said this agreement will take effect April 1, 2017 as long as the Local Law is passed. Mr. Rider said the resolution will authorize the Supervisor to sign the agreement.

Council Member Edsall made a motion seconded by Council Member Gunza to adopt the resolution authorizing Supervisor Livsey to sign the Intermunicipal Agreement for a consolidated Planning Board.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Public Hearing 2017 Budget

Council Member Edsall made a motion seconded by Council Member Voltaire to schedule a public hearing for the 2017 Budget on October 24, 2016 at 7:00pm.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Public Hearing 2017 Special Districts

Council Member Gunza made a motion seconded by Council Member Voltaire to schedule a public hearing for the Special District Assessments, Rolls and Benefit Formulas on October 24, 2016 at 7:10pm.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Public Hearing Local Law #2 of 2016

Council Member Edsall made a motion seconded by Council Member Gunza to schedule a public hearing to introduce Local Law #2 of 2016 – A local law providing for a Consolidated Planning Board for the Town of Highlands and Village of Highland Falls – on October 24 at 7:20pm.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

TOWN BOARD

OCTOBER 10, 2016

Resolution Opposing New Anchorage in Hudson

Council Member Voltaire made a motion seconded by Council Member King to adopt the resolution opposing the US Coast Guard establishing new anchorages for commercial vessels in the Hudson River.

RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

******RESOLUTION ATTACHED******

PUBLIC COMMENT

Jim Ramus thanked the Board for the numbers for the Planning Board consolidation.

ADJOURN

Council Member Voltaire made a motion seconded by Council Member King to adjourn the meeting. Meeting adjourned at 7:47pm.

MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

Attest,

RESOLUTION

OF

OCTOBER 10, 2016

A RESOLUTION TO AUTHORIZE
AN INTERMUNICIPAL AGREEMENT
BETWEEN THE TOWN OF HIGHLANDS AND
VILLAGE OF HIGHLAND FALLS
FOR A CONSOLIDATED PLANNING BOARD

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Gunza**.

WHEREAS, the Town of Highlands (“Town”) and the Village of Highland Falls (“Village”) have discussed and negotiated an InterMunicipal Agreement (the “Agreement”) whereby the Planning Board function would be consolidated in the communities with the new board to be known as the “Consolidated Planning Board of the Town of Highlands and Village of Highland Falls” (the “Consolidated Planning Board”);

WHEREAS, the leaders of the respective planning boards were consulted in the process;
and

WHEREAS, the Town Board has reviewed the terms and conditions of the Agreement and deems it to be in the public interest for the Town of Highlands to enter into the Agreement in substantially the form annexed hereto as Exhibit “A”; and

WHEREAS, the entering of such an agreement is a local legislative decision in connection with continuing agency administration and management, and does not include new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED that the Town of Highlands Supervisor is hereby authorized to execute the requisite InterMunicipal Agreement for and on behalf of the Town of Highlands; and

BE IT FURTHER RESOLVED, that the Supervisor and officers of the Town are hereby authorized and empowered to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, agreements, documents and papers as may be necessary to effectuate and carry out the contents of the foregoing resolutions and the terms and conditions of the InterMunicipal Agreement; and

BE IT FURTHER RESOLVED that the aforesaid resolutions shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Tyrone King, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

The foregoing constitutes a true and complete copy of a resolution duly made, Seconded and adopted at a meeting of the Town Board, Town of Highlands, on October 10, 2016.

June Patterson, Town Clerk

RESOLUTION
OF
OCTOBER 10, 2016
A RESOLUTION SCHEDULING A PUBLIC
HEARING ON PRELIMINARY
2017 BUDGET FOR THE TOWN OF HIGHLANDS

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Voltaire**.

WHEREAS, the Town Board of the Town of Highlands has met and considered the tentative and preliminary budget for the fiscal year beginning January 1, 2017; and

WHEREAS, the Town Board of the Town of Highlands desires to schedule a date and time for the Public Hearing to be held on October 24, 2016 at 7:00 p.m.; and

WHEREAS, the preliminary budget must be filed in the Office of the Town Clerk of the Town of Highlands at the time of publication of the Notice of Public Hearing;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That in accordance with the provisions of §106 of the Town Law and other applicable provisions of Law, the preliminary budget for the fiscal year beginning January 1, 2017 shall be filed in the office of the Clerk of the Town of Highlands where it shall be available for public inspection at or before the time of publication of the Notice of Public Hearing.
2. The Town Clerk of the Town of Highlands shall give Notice of such Public Hearing to be held on October 24, 2016 at 7:00 p.m. by publishing notice thereof in the official newspaper of the Town of Highlands not less than five (5) days prior to October 24, 2016, and cause a copy of such notice to be posted on the sign board

of the Town of Highlands not later than five (5) days before October 24, 2016.

3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Tyrone King, Councilman	voting Aye
June Gunza, Councilwoman	voting Aye
Adrienne T. Voltaire, Councilwoman	voting Aye
William Edsall, Councilman	voting Aye
Mervin R. Livsey, Supervisor	voting Aye

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June Patterson, Town Clerk

RESOLUTION

OF

OCTOBER 10, 2016

A RESOLUTION SCHEDULING PUBLIC
HEARINGS REGARDING SPECIAL DISTRICT
ASSESSMENTS, ROLLS AND BENEFIT
FORMULAS FOR THE YEAR 2017

Council Member **Gunza** moved the following resolution which was seconded by Council Member **Voltaire**.

WHEREAS, the Town Board of the Town of Highlands has met and considered the establishment or rates and benefit units for the Town's special districts and special improvement areas; and

WHEREAS, the Town Board desires to set a date for the Public Hearing on the Budgets, Assessments and Benefit Formulas for all special districts and special improvement areas of the Town of Highlands for the fiscal year beginning January 1, 2017 to be held on Monday, October 24, 2016 at 7:10 p.m.; and

WHEREAS, the Assessment Rolls have been filed in the Office of the Town Clerk of the Town of Highlands; and

NOW, THEREFORE, BE IT RESOLVED as follows:

4. That in accordance with the Sections 202-a and 239 of the Town Law, the Town Board of the Town of Highlands shall meet on October 24, 2016 at 7:10 p.m. at 254 Main Street, Highland Falls, New York and then and there hold a Public Hearing on the following special district and special improvement area Budgets, Assessment Rolls and Benefit Formulas, each to be heard separately in the order as listed:

Town of Highlands Water District #1;
Town of Highlands Water District #2; and
Town of Highlands Sewer Improvement Area.

5. The Town Clerk of the Town of Highlands shall give Notice of such Public Hearing by Publishing Notice thereof in the “News of the Highlands” not less than ten (10) days nor more than twenty (20) days prior to October 24, 2016, and cause a copy of such notice to be posted on the sign board of the Town not later than ten (10) days before October 24, 2016, and notices shall be mailed if required.
6. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Tyrone King, Councilman	voting Aye
June Gunza, Councilwoman	voting Aye
Adrienne T. Voltaire, Councilwoman	voting Aye
William Edsall, Councilman	voting Aye
Mervin R. Livsey, Supervisor	voting Aye

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June Patterson, Town Clerk

RESOLUTION
OF
OCTOBER 10, 2016

A RESOLUTION TO INTRODUCE AND
SCHEDULE A PUBLIC HEARING TO RECEIVE
PUBLIC COMMENTS CONCERNING THE ENACTMENT OF
A LOCAL LAW PROVIDING FOR A CONSOLIDATED
PLANNING BOARD FOR THE TOWN OF HIGHLANDS
AND VILLAGE OF HIGHLAND FALLS

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Gunza**.

BE IT RESOLVED, that INTRODUCTORY LOCAL LAW NO. 2 OF 2016 entitled “A Local Law Providing for a Consolidated Planning Board For the Town of Highlands and Village of Highland Falls” be and hereby is introduced before the Town Board of the Town of Highlands in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that pursuant to Municipal Home Rule Law Section 20, a public hearing shall be held to receive comments concerning the enactment of said Local Law on October 24, 2016 at 7:20 p.m. at the Town Hall located at 254 Main Street, Highland Falls, New York, and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing specifying the time when and the place where such public hearing will be held by publication and posting in accordance with the Municipal Home Rule Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Tyrone King, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

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June Patterson, Town Clerk

RESOLUTION

OF

OCTOBER 10, 2016

A RESOLUTION IN OPPOSITION TO THE
U.S. COAST GUARD'S ESTABLISHING
NEW ANCHORAGES FOR COMMERCIAL
VESSELS IN THE HUDSON RIVER GROUNDS

Council Member **Voltaire** moved the following resolution which was seconded by Council Member **King**.

WHEREAS, in June 2016, the U.S. Coast Guard announced that it was soliciting comments and concerns from the public on a proposal to establish a large number of anchorage grounds for commercial vessels in the Hudson River that commercial tankers would use as rest stops; and

WHEREAS, the proposed anchorage grounds include but are not limited to sites in Newburgh, Tompkins Cove, Montrose Point and Yonkers; and

WHEREAS, research shows that the habitats of some fish have been affected by previous anchorage sites. Vessels containing volatile crude oil and petroleum products pose a serious risk. An anchored boat containing these hazardous materials could catch fire or spill toxic oil in the river. The health of communities that use the Hudson River for drinking water will be threatened. The sites would also take a toll on the scenic beauty of our region; at least three locations would block the view from popular tourist attractions. Moreover, many in our community are concerned about the impact of constant noise, light and smoke from anchored boats, as many of the proposed sites are nearby homes and businesses; and

WHEREAS, the said proposal would create health, safety environmental and economic problems for Hudson River communities.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Highlands Town Board,

hereby states its firm and unequivocal opposition to the proposed anchorages and urges the U.S. Coast Guard to conduct public meetings and include this document in the record as a statement of our position.

BE IT FURTHER RESOLVED, that the aforesaid resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Tyrone King, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

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June Patterson, Town Clerk